

In item 4 on page 2 of the above-identified Office action, the Examiner stated that the Information Disclosure Statement does not comply with the relevant provisions because there is no translation of the non English documents or a concise explanation as to the relevancy. However, every listed non English document in the IDS contains an abstract in the English language, therefore, a concise explanation of the disclosure and, hence, relevancy of the non-English documents is available.

In item 5 on page 2 of the Office action, the drawings have been objected to under 37 CFR 1.83(a) for not showing a certain feature. New drawings will be entered as soon as received by counsel.

In item 6 on page 3 of the Office action, claims 7-15 have been objected to as being improperly dependent on a non-elected independent base claim. The Examiner's comments were noted and claim 7 was re-written as an independent claim.

In item 8 on page 3 of the Office action, claims 7-15 have been rejected as being indefinite under 35 U.S.C. § 112, second paragraph. The Examiner's comments were noted and the appropriate amendments were made to the claims.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, second paragraph. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above noted changes to the claims are provided solely for the purpose of satisfying the requirements of 35 U.S.C. § 112. The changes are neither provided for overcoming the prior art nor do they narrow the scope of the claim for any reason related to the statutory requirements for a patent.

In item 12 on page 5 of the Office action, claims 7-15 have been rejected as being obvious over *Kadosh et al.* (US 5,893,739) under 35 U.S.C. § 103.

In item 13 on page 6 of the Office action, claim 10 has been rejected as being obvious over *Kadosh et al.* in view of *Sato et al.* (US 6,121,117) under 35 U.S.C. § 103.

A claim for priority based on German application 198 21 999.7, filed May 15, 1998, is made in the instant application. A certified copy of the German patent application has already been filed and a certified English translation is enclosed which will perfect the claim for priority. Since the effective filing date of the instant application predates the application filing date of *Sato et al.*, *Sato et al.* will not

be available to be cited as prior art against the instant application.

The rejection has been noted and claim 7 has been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found on page 7, lines 12-14, of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 7 as amended calls for, inter alia:

providing a semiconductor structure having a base layer, a insulation layer, and a monocrystalline silicon layer;

introducing a passivating substance X between the insulation layer and the monocrystalline silicon layer;  
and

**heat-treating** the semiconductor structure with the passivating substance X, thereby, **causing the passivating substance to diffuse** into an interface between the insulation layer and the monocrystalline silicon layer.

Applicants were unable to find any disclose in *Kadosh et al.* regarding **heat-treating** the semiconductor structure with a

passivating substance X, thereby, ***causing the passivating substance to diffuse*** into the interface between the insulation layer and the monocrystalline silicon layer.

The underlying inventive concept of the invention of the instant application is to incorporate a passivating substance X in the region of the interface between an insulation layer and a monocrystalline silicon layer. As a result, the production of undesirable interface states in the transition region between the insulation layer and the monocrystalline silicon layer is reduced and damage to the SOI insulation layer by hot charge carriers and associated impairment of transistor properties are greatly reduced. *Kadosh et al.* neither suggest such a process nor contain the relevant teaching making such a process obvious. Therefore, the invention as recited in claim 7 of the instant application is believed not to be obvious over *Kadosh et al.*.


It is accordingly believed to be clear that *Kadosh et al.* does not suggest the features of claim 7. Claim 7 is, therefore, believed to be patentable over the art and since claims 8-15 are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 7-15 are solicited.

Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of \$ 110.00 in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

  
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For Applicants

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